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**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

)	
In re:)	Case No. 12-12020 (MG)
)	
RESIDENTIAL CAPITAL, LLC, <u>et al.</u> ,)	Chapter 11
)	
Debtors.)	Jointly Administered
)	

**AMENDED¹ PROPOSED AGENDA FOR MATTERS SCHEDULED
TO BE HEARD ON FEBRUARY 9, 2016 AT 8:30 A.M. (EST)**

Location of Hearing: United States Bankruptcy Court for the Southern District of New York,
Alexander Hamilton U.S. Custom House, Courtroom 501, One Bowling Green, New York, NY
10004-1408

I. EVIDENTIARY HEARING:

- 1. ResCap Borrower Claims Trusts Sixty-Ninth Omnibus Objection to Claims (No Liability Borrower Claims) [Docket No. 7188]**

Related Document(s):

- a.** Memorandum Opinion and Order Sustaining in Part and Overruling in Part Objection to Claims 3889, 4129, 4134, and 4139 Filed by Tia Smith [Docket No. 7598]
- b.** Motion For Reconsideration of the Memorandum Opinion and Order Sustaining In Part and Overruling in Part the ResCap Borrower Claims Trust's Sixty-Ninth Omnibus Objection to Proof of Claim Nos. 3889, 4129, 4134 and 4139 filed by Tia Smith [Docket No. 7691]

¹ Amended items appear in **bold**.

- c.** Letter to Judge Glenn from Tia Smith dated October 29, 2015 Regarding Motion for Reconsideration [Docket No. 7699]
- d.** Order Denying Motion of Tia Smith for Reconsideration [Docket No. 7795]
- e.** Notice of Status Conference on ResCap Borrower Claims Trust's Sixty-Ninth Omnibus Objection to Claims (No Liability Borrower Claims) Solely as it Relates to the Claims Filed by Tia Smith (Claim Nos. 3889, 4129, 4134 and 4139) to be Held on October 15, 2015 at 10:00 a.m. (Prevailing Eastern Time) [Docket No. 9227]
- f.** Case Management and Scheduling Order for ResCap Borrower Claims Trust's Sixty-Ninth Omnibus Objection to Claims (Solely as it Relates to Claim Nos. 3889, 4129, 4134 and 4139 Filed by Tia Smith) [Docket No. 9267]
- g.** Application for Waiver of Pre-Payment of Fees and Costs including fees and costs of Alternative Dispute Resolution (ADR) Requested Pursuant to Order of October 19, 2015 (Doc. 9267) [Docket No. 9336]
- h.** ResCap Borrower Claims Trust's Response to Tia Danielle Smith's Application for Waiver of Fees and Costs for Alternative Dispute Resolution [Docket No. 9358]
- i.** Order Denying Motion of Tia Smith to Waive Fees and Costs for Alternative Dispute Resolution [Docket No. 9363]
- j.** Request for Conference to Resolve Discovery Dispute (Claim Nos. 3889, 4129, 4134 and 4139) [Docket No. 9448]
- k.** Notice of Rescheduled Final Pretrial Conference on ResCap Borrower Claims Trust's Sixty-Ninth Omnibus Objection to Claims (No Liability Borrower Claims) Solely as it Relates to the Claims Filed by Tia Smith (Claims Nos. 3889, 4129, 4134 and 4139) to be Held on January 27, 2016 at 2:00 p.m. (Prevailing Eastern Time) [Docket No. 9551]
- l.** Declaration Under Penalty of Perjury as Direct Testimony of M. Nawaz Raja and Offer of Proof by Expert Testimony [Docket No. 9555]
- m.** Declaration Under Penalty of Perjury as Direct Testimony of Tia Danielle Smith [Docket No. 9556]
- n.** Declaration and Proposed Testimony [of Sara Lathrop] in Support of the ResCap Borrower Claims Trust's Sixty-Ninth Omnibus Objection to Claims (No Liability Borrower Claims) as to Claim Nos. 3889, 4129, 4134 and 4139 Filed by Tia Danielle Smith [Not Docketed]

- o.** Order Adjourning Pre-Trial Conference in the Tia Smith Case [Docket No. 9564]
- p.** Motion for Reinstatement of Leave to Appear Telephonically at the Adjourned Pre-Trial Conference Now Set for February 1, 2016 Pursuant to Fed. R. Bankr. P. 1001 and 9024 [Docket No. 9567]
- q.** Order Denying Motion for Reinstatement of Leave to Appear Telephonically [Docket No. 9569]
- r.** Pre-Trial Order [Docket No. 9574]
- s.** Notice of Filing of Indexes, Sub-Indexes and Exhibits of Tia Smith [Docket No. 9579]
- t.** Amended Notice of Filing of Indexes, Sub-Indexes and Exhibits Filed on Behalf of Tia Smith [Docket No. 9580]
- u.** Statement on Case Status Report Filed on Behalf of Tia Smith [Docket No. 9581]
- v.** Declaration Under Penalty of Perjury as Direct Testimony of Tia Danielle Smith [Docket No. 9584]
- w.** Declaration Under Penalty of Perjury as Direct Testimony of M. Nawaz Raja and Offer of Proof by Expert Testimony [Docket No. 9585]
- x.** ResCap Borrower Claims Trust's Objections to the Declaration of Nawaz Raja [Not Docketed]
- y.** ResCap Borrower Claims Trust's Objections to the Declaration of Tia Danielle Smith [Not Docketed]
- z.** **Claimant's Objections to Direct Testimony of Sarah Lathrop and Objector's Exhibits A, B, C, D, E, F, G, K, L, M and N [Docket No. 9588]**
- aa.** **Motion of Tia Smith to Extend Time for Cross-Examination of M. Nawaz Raja Who is Medically Unavailable for In-Person Testimony on February 9, 2016 Or, in the Alternative, to Allow Telephonic Cross-Examination, if Medically Permitted [Docket No. 9592]**

- bb. Motion of Tia Smith for Relief from Decision Dated October 1, 2014 for Fraud, Misrepresentation or Other Misconduct of Opposing Party and Because the Newly Discovered Fraud Renders the Decision and Order of October 1, 2014 Void Because the Court Relied on the Fraudulent Misrepresentations of Deanna Horst and the Fraudulent Endorsement Stamp by Which GMAC Mortgage, LLC Employee Judy Faber Falsely Claimed to be Vice President of Residential Funding Company, LLC (All Rights Reserved [Docket No. 9593]**
- cc. Order Denying Motion of Tia Smith for Relief from Prior Opinion [Docket No. 9595]**

Response(s):

- a.** Response [by Tia Smith] to Objection to Claim Nos. 3889, 4129, 4134 and 4139 [Docket No. 7300]
- b.** (Second) Amended Objection to the Initiation and Prosecution of Contested Claim Proceedings by Counsel for the ResCap Debtors Through the ResCap Liquidating Trust in the Name of the ResCap Borrower Claims Trust (Claim Nos. 3889, 4129, 4134 and 4139) [Docket No. 9544]
- c.** Preliminary Pre-Trial Memorandum on behalf of Tia Smith [Docket No. 9557]

Replies:

- a.** ResCap Borrower Claims Trust's Omnibus Reply in Support of its Sixty-Ninth Omnibus Objection to Claims (No-Liability Borrower Claims) as to Claim Nos. 292, 1279, 1466, 3889, 4129, 4134 and 4139 [Docket No. 7410]
- b.** ResCap Borrower Claims Trust's Memorandum of Law in Support of the Trust's Objection to Claim Numbers 3889, 4129, 4134 and 4139 [Docket No. 9553]

Status: The evidentiary hearing on this matter will be going forward.

Dated: February 8, 2016
New York, New York

/s/ Jordan A. Wishnew
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